

NTC & Fort Irwin Frequently Asked Questions.

These Questions were taken via Email from the Sequestration, Furlough News and Information page found here and previous Lead 6 Town Hall's.

<http://www.irwin.army.mil/Pages/NTCSequestrationFurlough.aspx>

Scheduling Furlough Days

Question: Can an employee select their own furlough day?

Question: Can furlough days change weekly or same day each week?

Question: Can two days of furlough be scheduled in one week, e.g.,: work 40 hours one week and 24 hours the next?

Question: Can an employee come in every day and be furloughed a few hours each day in order to meet the furlough hour requirement? (For example, someone that has to come in to Fort Irwin everyday because their child attends a Fort Irwin school)

Question: Will it be possible to take 22 days continuous?

Question: Is there ample flexibility for me, as the supervisor, to allow them to work their two periods of 4 10 hour days and then take two furlough days per week for the next two weeks after the two weeks of rotation?

Answer:

Our goal is to mitigate impact to employees through maximum flexibility within directed guidance while still meeting the mission.

Department of the Army has not issued specific guidance at this time, however, we expect guidance to allow supervisors / managers to determine the exact days / hours with employee input to the maximum extent possible (subject to mission and local bargaining).

If a furlough occurs, and the parameters of how to implement are provided, they will be disseminated.

Please see OPM's "Guidance for Administrative Furloughs" supplemental guidance

<http://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/supplemental-guidance-administrative-furloughs.pdf>

Scheduling Furlough Days Alternate Work Schedule (AWS/RDOs)

See Scheduling Furlough Days answer above and;

Although no specific guidance has been issued requiring RDOs to be suspended during a furlough, it may become necessary to do so in order to meet mission requirements.

If Alternate Work Schedules (AWS), to include RDOs are suspended due to a furlough, organization/employees would revert to their pre-furlough work schedule at the end of the furlough period.

CHILD CARE

Question: Will day care services on post change their rates?

Question: I understand it has already been asked about Day Care fees based on annual income and if it will change if the annual income changes. Going a bit further: Full Day Care is paid regardless if child attends or not, with the furlough in place the parent will not be attending work once a week, hence the child will not be attending day care once a week. Will the parent still have to pay the full price of full day care, even though the child did not attend a day due to the furlough?

Answer:

IMCOM has not given us guidance on this issue however DFMWR is doing an internal review on how the fees will be applied here at Fort Irwin. More to follow when all guidance and IR are compiled.

Fees: Current policy is that fees for care are on a sliding scale based on Total Family Income (TFI). Normally this is set once a year during the annual registration. However, if there is a documented reduction in income, that would put a patron into a different category, it can be adjusted during the year. Currently, there is no guidance on changing a fee category based on reduction in pay anticipated if a furlough occurs.

Part time vs. full time care: Our Child Development Center offers some part time programs including part day preschool, and before and after school care. However, a child who attend four days a week for 9 hours per day would be in a full time slot, and therefore pay full time fees. We do not anticipate changes to the type of care a parent is requesting based on a possible 1 day a week furlough.

Leave Accrual

Question: If civilians are Furloughed, besides reduced pay, will it affect the annual and sick leave we earn each week?

Answer:

Yes, once an employee's balance of non-pay hours equals their scheduled hours in a pay period (e.g., 80 hours in a biweekly pay period, fewer hours for part-time employees), the employee will not accrue leave for that pay period. Leave accrual resumes the next pay period. This will occur twice if the furlough period is 22 days.

See Addendum 2 to OPM Guidance for Administrative Furloughs DATED February 26, 2013

Scheduling leave and comp time

Question: How will my scheduled leave during the year be affected?

Question: I heard another agency say today that they were told they had to use their comp time and comp travel now, because once the furlough takes place, you are not allowed to use it.

Answer:

There is NO change to how leave is approved and requested during a furlough period. Leave may be requested and approved on scheduled work days using the same procedures currently in place for their organization.

If you are furloughed on a day that you had previously scheduled for annual (or other paid leave), this leave will be canceled for furlough days only.

- All use or lose leave (annual) must be used prior to the end of the leave year.
- All comp time for travel and time off awards must be used within 26 pay periods from when it was earned / awarded or it is forfeited.
- Regular comp time turns to overtime after 26 pay periods from when it was earned

Leave should be scheduled in advance to preclude comp time from rolling into overtime and travel comp/time off awards from being lost. Organizations that anticipate additional lost duty time due to the furlough having an impact on the ability to approve future leave, based on mission requirements, may require when leave can be taken based on mission requirements.

Retirement

Question: Do I need to work another 22 days after the furlough to reach my retirement eligibility date?

Answer:

No, for appropriated funded employees, the amount of a CSRS or FERS annuity paid by OPM is based primarily on the amount of creditable service an employee performs and the employee's high-3 average salary. Both CSRS and FERS allow service credit for up to 6 months of nonpay status in any calendar year. If a furlough period does not cause an employee to be in a nonpay status for more than 6 months in a calendar year, the furlough period will be included as creditable service in determining the employee's total creditable service used in the annuity computation.

Guidance on Leave Accrual and Retirement Annuity Benefits for Employees Affected by an Administrative Furlough, Question 5
<http://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/addendum-2-leave-accrual-and-retirement-annuity-benefits-for-employees-affected-by-an-administrative-furlough-022613>.

Premium Pay

Question: Has OPM come out with any guidance regarding how Sunday Premium or Night Differential pay may be impacted due to sequestration?

Answer:

No, based on 5 CRF/5 USC, GS/WG employees are entitled to Sunday premium and Night Pay for regularly scheduled work. Currently there is no guidance of Sunday Premium or Night Differential Pay being impacted by the sequestration and fiscal uncertainties.

Sunday Premium: An employee is entitled to 25 percent of his or her rate of basic pay for work performed during a regularly scheduled basic 8-hour tour of duty that begins or ends on a Sunday
Night pay: Night pay is a 10 percent differential paid to an employee for regularly scheduled work performed at night. Generally, night work must be performed between the hours of 6 p.m. and 6 a.m.

Benefits

Question: Will furlough affect the amount the government pays for my health insurance? Are other benefits affected? Is TSP affected?

Answer:

Possibly,

Health Insurance: Enrollment continues for no more than 365 days in a non-pay status. The non-pay status may be continuous or broken by periods of less than 4 consecutive months in a pay status (5 CFR 890.303(e)). The Government contribution continues while employees are in a non-pay status.

TSP: If you are currently making contributions based on a percentage of your basic pay your TSP contribution decreases in direct proportion to the reduction in your basic pay. Therefore, you may find that lowering your contribution percentage is not necessary. But if you are currently making TSP contributions based on a dollar amount of your pay, that dollar amount will not automatically decrease with your reduction in pay. If you are a FERS participant, also keep in mind that any reduction in your basic pay will impact your agency contributions. See the TSP fact sheet was recently published and has been posted on www.irwin.army.mil for more information.

Depending on the specific benefit, there may be an impact. Please refer to the Fact Sheet prepared by OPM and located on the NTC Website.

Question: Are we eligible for unemployment for those days we are Furloughed?

Answer:

The website below provides instructions for the state of CA when filing an initial claim for unemployment; different procedures often apply when filing claims for additional benefits. You should also note that Kentucky has a Web site – at <http://www.oet.ky.gov/des/ui/staterefguide.asp> - that lists state Web sites, plus telephone numbers, for about 40 states.

California – <https://eapply4ui.edd.ca.gov/>

Question: Are we eligible for public assistance?

Answer:

You must contact your local Human Services Office to inquire about what services you may be eligible for. Our local Army Community Services office (760) 380-3776 or 4784 or the Employee Assistance Program office (760) 380-9092 can also provide advice and referral to services that may be available to you.

Question: Are we allowed to apply for a second job?

Answer:

While on furlough, individuals remain employed by the Federal Government, therefore, standards of ethical conduct and rules regarding outside employment are applicable (5 CFR 2635). Additionally, there are specific statutes prohibiting certain outside activities. Before engaging in outside employment, employees should consult their agency ethics official located in the SJA Office at phone #760-380-3251.

Contractors

Question: I work at the Nat'l Training Center at FT. Irwin, Ca. my question Is how does the sequestration effect Contract workers?

Answer:

Unfortunately there are still many uncertainties associated with the potential sequestration and its effects. Department of Defense leaders are aggressively engaged in discussions, planning and preparing guidance for the near future. The focus has been on the impact to the DoD Government and government workers. The extent of the impact on Contractors and their respective employees is unknown. Some of the impact will likely depend on the business decisions of contractors. Therefore, I believe that your employer is in a much better position than Fort Irwin to address concerns about how a sequestration will affect you.

Please be assured that Fort Irwin will continue to disseminate all available and releasable information required by law. One such release of information occurred yesterday morning when

the Commanding General addressed the community via radio broadcast to provide updates on this topic.

Question: Will we need to tell contractors to change their schedule to four days per week for government oversight if a furlough occurs?

Answer:

A furlough of government employees should not impact the days/times contractors can perform their duties. **Supervisors/ managers have been directed to anticipate the scheduling of furlough days similarly to scheduling other work site absences (i.e. leave, TDY, etc.).**

Understanding that some contracts require government oversight of contractors, it is expected that the alternate government employee or Service Member who would fill in while the primary POC employee is away on another type of absence would be scheduled to provide oversight on days the primary POC is on furlough.

Impact to Evaluation/Rating & Appeal Process

Question: If the mandatory Furlough takes effect, will the non pay status reflect as bad/negative time on my annual evaluation?

Question: How do I appeal the furlough decision and what are my required steps to appeal this action?

Answer:

Administrative furloughs lasting 30 calendar days or less (22 workdays) are covered by OPM regulations under 5 CFR part 752, adverse action procedures part 752.401 "Coverage".

Although processed under adverse procedures, this is not considered misconduct. Therefore, this is not a blemish on your record nor should this have any adverse affect on job performance. **This will have no effect on your annual evaluation.**

APPEAL: The final proposal and decision has not yet been made to implement a furlough. If a decision is made to implement an administrative furlough, at least 30 days prior, each employee will receive a proposal letter. The proposal letter will be followed by a decision letter. **The decision letter will provide specifics on how to appeal the proposal should you desire to do so (how long you have, who to send it to, and what needs to be included).** With the decision letter you will receive documentation to which you may file an appeal with the Merit Systems Protection Board (MSPB) or you may go through the union. The determination on if a furlough will occur is not being done locally.

Volunteer Work

Question: May furloughed employees volunteer to work on a non-pay basis during any hours or days designated as furlough time off?

Answer:

No. Furloughed employees will not be authorized to work remotely or off-site, to respond to DoD-provided digital devices, or conduct official business during each furlough period.

Please see OPM's "Guidance for Administrative Furloughs" available on-line, pages 4-5
<http://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/guidance-for-administrative-furloughs.pdf>

Mass Transportation (Van Pools)

Question: Will van pools be affected if there is a furlough?

Answer:

Understanding that transportation to and from work is an employee's personal responsibility. All van pools are privately operated. The government has no authority to mandate scheduling including routes, pricing, times, and days each van is operated. **Therefore, a furlough would not have a direct effect on van pools.**

Additional items that may be of interest:

- ✓ Mass Trans Benefit Amount: The monthly maximum limitation of the mass transportation benefit has been increased from \$125 to \$245. Participants who's cost is above \$125 per month and have not updated their Mass Trans application should do so as soon as possible in order to be eligible.
- ✓ Mass Trans Eligibility: Participants on TDY, leave, or who use other means of transportation for more than 50% of the time will be entitled to a prorated benefit. Therefore, if an employee is furloughed 1 day a week (20% of the time) this would NOT impact the benefit amount.
- ✓ Bus Schedule: Victor Valley Transit Authority (VVTa) has stated that the proposed furlough will not impact their schedule and will continue to operate normally if a furlough is implemented.
- ✓ Scheduling the same day off as others in the same van/car pool: See question about Scheduling Days Off above.

Interns

Question: Will furlough affect interns the same way as other employees?

Answer:

Yes

Active Duty time on station

Question: I have heard rumors that the furloughs/budget cuts have affected the Active duty and they have extended time on station for 36 months. Is this true?

Answer:

Department of the Army has not released any guidance regarding the extension of Time on Station to 36 months.

Impact to Contractors

Question: How does the sequestration effect Contract workers?

Answer:

Unfortunately there are still many uncertainties associated with the potential sequestration and its effects. Department of Defense leaders are aggressively engaged in discussions, planning and preparing guidance for the near future. The focus has been on the impact to the DoD Government and government workers. The extent of the impact on Contractors and their respective employees is unknown. Some of the impact will likely depend on the business decisions of contractors. Therefore, I believe that your employer is in a much better position than Fort Irwin to address concerns about how a sequestration will affect you.

Please be assured that Fort Irwin will continue to disseminate all available and releasable information required by law. One such release of information occurred yesterday morning when the Commanding General addressed the community via radio broadcast to provide updates on this topic.

DCIPS, Appeal Process

Question: The Defense Civilian Intelligence Personnel System (DCIPS) Volume 2009 states the proposed 22 day furlough is going to be treated as an adverse action. What will this do to my overall job performance and will this be considered as a detrimental blemish on my record? How do I appeal the furlough decision and what are my required steps to appeal this action?

Performance Answer:

DCIPS does not apply to employees in the General Schedule (GS) and Wage Grade (WG/WS/WL) systems. This information is specifically for GG employees.

However, the same rule applies in this instance: Shutdown furloughs lasting 30 calendar days or less (22 workdays) are covered by OPM regulations under 5 CFR part 752, adverse action procedures part 752.401 "Coverage". Although processed under adverse procedures, this is not considered misconduct. Therefore, this is not a blemish on your record nor should this have any adverse affect on job performance.

Appeal Answer:

As for appealing the decision to Furlough, the final proposal and decision has not yet been made followed by a decision letter. The decision letter will provide specifics on how to appeal the proposal

should you desire to do so (how long you have, who to send it to, and what needs to be included). With the decision letter you will receive documentation to which you may file an appeal with the Merit Systems Protection Board (MSPB) or you may go through the union. The determination on if a furlough will occur is not being done locally.

Volunteer Work

Question: May furloughed employees volunteer to work on a non-pay basis during any hours or days designated as furlough time off?

Answer:

No, unless otherwise authorized by law, an agency may not accept the voluntary services of an employee. (See 31 U.S.C. 1342). Furloughed employees are not authorized to work remotely or off-site, to respond to DoD-provided digital devices, or conduct official business during each furlough period. Furloughed employees are not authorized to visit their worksite beyond a quick visit to retrieve personal items as necessary.

Additional information on this topic can be found at, OPM's "Guidance for Administrative Furloughs" available on-line, pages 4-5 <http://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/guidance-for-administrative-furloughs.pdf>

Scheduled furlough day on a Holiday

Question: If your planned furlough day falls on a federal holiday, which is on a Monday. Will you have to take off on Tuesday for your furlough day or would you just get the holiday off with holiday pay and go to work on Tuesday?

Answer:

No, you will have to either work the day before a federal holiday, or the day after to receive holiday pay. The Comptroller General has determined that it is not appropriate to furlough an employee on a federal holiday due to the nature of our furlough days being discontinuous. See below for more guidance.

Question: Should an employee be furloughed on a holiday?

Answer:

No. The Comptroller General has determined that it is not appropriate to furlough an employee on a holiday, unless the furlough is for an extended number of continuous days (e.g. a furlough for 30 calendar days), and a holiday falls within that period. NOTE: This guidance is applicable to ARMY Employees only. <http://cpol.army.mil/library/general/20130222-Furlough-FAQs.pdf> For DOD employees that are not Army, check your agency's specific guidance or page 5 of OPM's

Supplemental Guidance for Sequestration and Administrative Furloughs (As of January 11, 2013) <http://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/supplemental-guidance-administrative-furloughs.pdf>

Impact on the Commissary

Question: Will the commissary suffer any impact from a furlough. Will they close once a week, or modify their operating hours?

Answer:

The Defense Commissary Agency (DeCA) is thoughtfully developing its plan to minimize the impact civilian furloughs may have on commissary patrons, should furloughs be implemented. While there will be impacts to our patrons if furloughs are implemented, the principal guiding DeCA's planning efforts is to lessen the impacts of sequestrations wherever we can.

Child Development Center & Contracts

Question: If this Furlough takes effect will the Child Development Centers reevaluate the contracts currently in effect?

Answer:

This issue is currently being reviewed and upon receiving clear guidance and understanding of the impact, we will provide an accurate answer.